

Motion granted. The settlement is found to be fair and reasonable. This matter is hereby dismissed with prejudice.

/s/ John R. Adams
U.S. District Judge
10/21/19

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

CHRISTOPHER MILLER, <i>et al</i> ,)	CASE NO. 5:19-cv-00924-JRA
)	
Plaintiffs,)	JUDGE JOHN ADAMS
)	
v.)	<u>JOINT MOTION FOR APPROVAL OF</u>
)	<u>STIPULATION OF SETTLEMENT AND</u>
SHEARER'S FOODS LLC,)	<u>RELEASE</u>
)	
Defendant.)	

Plaintiffs Christopher Miller and Deana Dingey (“Plaintiffs”) and Defendant Shearer’s Foods LLC (“Defendant”) hereby move this Court to review the parties’ *Joint Stipulation of Settlement and Release* (the “Settlement”) attached hereto as **Exhibit A**, *Declaration of Plaintiffs’ Counsel* attached hereto as **Exhibit B**, and to issue an Order approving the Settlement as fair and reasonable. In support of this Motion, the Parties state:

1. On April 24, 2019, Plaintiffs commenced this action against Defendant alleging that Defendants failed to pay Plaintiffs and others similarly situated all overtime wages due under the Fair Labor Standards Act of 1938, 29 U.S.C. §§ 201, *et seq.*, and the Ohio Minimum Fair Wage Standards Act, Ohio Revised Code §§ 4111 *et seq.* Specifically, Plaintiffs’ claims included claims for unpaid break times and alleged compensable pre-shift work.

2. Defendant denies liability or wrongdoing of any kind. Specifically, Defendant contends that all of its employment practices have complied with applicable law, that Plaintiffs and Opt-In Plaintiffs were properly compensated for all wages in accordance with applicable law, that Plaintiffs and Opt-In Plaintiffs were paid for all breaks, and further asserts that Plaintiffs and Opt-In Plaintiffs were paid in excess of hours worked.

3. A bona fide dispute as to liability and, if established, damages exists.